



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**APPLICANTS:** Eisenberg**SERIAL NUMBER:** 10/009,809**EXAMINER:** Patrick J. Nolan**FILING DATE:** April 26, 2002**ART UNIT:** 1644**FOR:** NOVEL ANTI-ALLERGIC AGENTS**Mail Stop RCE**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449.

This Information Disclosure Statement is being filed following receipt of the European Search Report for EP 00937154 that corresponds to the above-identified case. This Information Disclosure Statement is being filed concurrently with a Request for Continued Examination under 37 C.F.R. § 1.114 for the above-identified application. Accordingly, no fee or certification is believed due.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS : Eisenberg  
SERIAL NUMBER: 10/009,809

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Applicants believe that no additional fees are due with this filing. However, the Commissioner is hereby authorized to charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 24025-501 NATL.

Respectfully submitted,

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Dated: January 18, 2005

TRA 1997263v1

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PTO/SB (12-97)

Approved for use through 9/30/00. OMB 0651-0031

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Modified Form 1449/PTO		Application Number	10/009.809
		Filing Date	04/26/2002
		First Named Inventor	Eisenberg
		Group Art Unit	1644
		Examiner Name	Patrick J. Nolan
		Attorney Docket Number	24025-501 NATL
(use as many sheets as necessary)			

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate

U.S. PUBLISHED APPLICATION DOCUMENTS							
Exam Initials	Cite No.	U.S. Published Application No.	Published Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS							
Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)		Date of Publication	Translation Yes No	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS							
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.					
	C1	Singh, et al. (1998). <i>Pharm. Res.</i> 37(5): 353-355.					
	C2	International Search Report for EP 00937154. Dated on August 18, 2004.					

\* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No.: \_\_\_\_\_, filed \_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.

TRA 1997264v1